

Minutes of the Minnetonka Park Board
August 6, 2008

1. Roll Call

Park board members in attendance included Jahn Anderson, Bruce Gefvert, Tim Goodyear, Amber Greves, Denny Lambert, Tess Komarek and Patrick Robben. Staff members in attendance included Geralyn Barone, Jo Colleran, Dave Johnson and Perry Vetter.

2. Approval of Minutes

Gefvert noted a minor correction on page two of the Minutes pertaining to geocaching. Gefvert moved and Greves seconded a motion to approve the Minutes of May 7, 2008 as amended. All voted "Yes." Motion carried.

3. Citizens Wishing to Discuss Items Not on the Agenda

None.

4. Business Items

A. Review of City's Park Regulations

Goodyear began the business item by welcoming all in attendance and thanked those who had submitted comments and provided input on the issues at hand. He informed the audience that public comments would be received once again following staff's introduction of the item.

Perry Vetter, Parks and Trails Division Manager, introduced the item by noting the park board is in the process of reviewing the city's park regulations in an effort to update any areas that are outdated and no longer practical. Vetter reviewed previous discussions held at the May 7, 2008 meeting related to geocaching, electronic scooters in parks, and the primary issue of animals in parks. He also mentioned that the letters received to date were included with the park board meeting packet. And, another set of letters received since the packet was created were distributed at the meeting.

Vetter summarized the primary issues related to animals in the parks based on the input that has been received by the city. He indicated that the primary issues that residents asked to address centered on the need of off leash areas, volunteer opportunities, off leash times and license/ fee options.

Vetter outlined a staff recommendation that included the following:

- Change the voice command definition from "non-maintained and non-improved areas" to "undeveloped areas".
- Expand current park regulations to allow animals to be in parking lots and maintained turf areas while on a leash.

Minutes of the Minnetonka Park Board
August 6, 2008

- Continue to restrict animal access on designated athletic fields at Civic Center, Big Willow, Glen Lake and Guilliams Fields.
- Expand current park regulations to allow dogs to accompany spectators at parks with designated athletic fields.
- Clarify that dogs cannot be at Shady Oak Beach and/or Libbs Lake Beach swimming beaches.

Vetter explained that voice command requirements would be outlined in a written agreement signed by a pet owner allowing them a “pet in park” ID tag. Criteria could include agreement of the knowledge of the areas, established rules, waste abatement, owner liability, pet vaccinations and responsible use of the areas. He explained that under the proposed staff recommendation, voice command areas would be limited to the undeveloped areas in parks that are in excess of 25 natural acres in size (Big Willow, Jidana, Victoria Evergreen and Purgatory Parks), and that Jidana Park would become a shared voice command park and restrictions would be posted during programmed activities. He concluded by noting that all other neighborhood and mini parks/tot lots would become leash only.

To address pet waste concerns, Vetter indicated that staff was recommending the establishment of a volunteer program and defined methods for disposal by pet owners.

As a third component of the staff recommendation, Vetter indicated that staff was recommending the development of a dedicated fenced in dog park to be located in Lone Lake Park. He noted that this amenity would provide an outlet for those dog owners either looking for socialization of their dogs, or those who have dogs that are unable to comply with the voice command requirements.

Vetter closed by stating the he felt the key to success for the recommendations outlined are owners taking personal responsibility, and enhanced enforcement and education. He added that he had reviewed the staff recommendations with the Chief of Police who indicated he is comfortable with the proposal.

Goodyear asked for park board member input and questions before taking public comments. Hearing none, Goodyear noted that he had questions related to safety, self policing, obedience training, and the possible use of electronic collars. He added that he was hoping for feedback on the need for a dog park in Minnetonka due to the close proximity of the park operated by Three Rivers Park District at Bryant Regional Park located just south of Lone Lake Park.

Vetter noted for the record that staff was proposing that a license or permit would only be required to be purchased for those owners who wished to take their dogs to either the dedicated dog park or off-leash areas and not required for on leash walking of dogs.

Minutes of the Minnetonka Park Board
August 6, 2008

Goodyear opened the floor to public comments.

William White, 5720 Covington Circle, presented a petition to the park board signed by 108 people in support of maintaining the existing ordinance that allows dogs of leash in non-maintained areas of the park system while under voice command.

Sandra Stevenson, 1588 Tonkawood Drive, indicated that she supported the plan presented by staff and indicated that a dedicated dog park in the city was greatly needed.

Ron Tim, 12800 March Circle, applauded the park board for the proposed plan presented this evening, noting that he did not feel that a dedicated dog park was needed but added that this might be a need for others in attendance.

Joseph Steffle, 12936 Stanton Drive, indicated that he uses Big Willow, Meadow and Hilloway Parks on a regular basis and opposes voice command regulations and the plan as presented by staff. He noted that he experiences too many dogs not under control on his walks through the parks due to the current ordinance not being enforced.

Camille Calderaro, 13416 Inverness Road, indicated that she was a dog lover and always walks her dogs on leash. She stated that the existing and proposed voice command allowances do not work noting that her dogs are approached by off-leash dogs on a regular basis. She noted that a dog under voice command is affective 4% of the time and indicated that a designated area for dogs to be off-leash should be separated from other park areas.

Dave Ingerham, 15745 Melody Lane, indicated that he was a dog owner and thanked staff for the proposal presented. He added that enforcement was the key for the success of any regulations, adding that it appears that most of the problems reported in the city are coming from areas other than the parks. Ingerham cited the city of Boulder Colorado as an excellent example of an agreement with dog owners that works. Regarding safety concerns, he again indicated that enforcement was the most important factor. With respect to a designated off-leash dog park in the city, Ingerham noted that Minnewashta Regional Park has the "gold standard" for such a facility. He questioned the need for an off-leash area in Lone Lake Park due to the close proximity to Bryant Regional Parks designated area.

Dan Cliss, 62133 Creekview Trail, indicated that he was a dog owner and felt that safety is the primary concern noting problems he has had in the past with dogs not under control by their owner. He suggested the use of an electronic collar (E-Collar) and a possible addition to the city's ordinance.

Minutes of the Minnetonka Park Board
August 6, 2008

Julie Haberlee, 14424 Woodhaven Road, complimented the proposal presented. She suggested that the owner who spoke earlier regarding her on-leash dogs being confronted by off-leashed dogs consider using one of the other parks not designated for off-leash use. Haberlee noted that while the existing regulations are not perfect, she was surprised by the relatively low number of incidents that have been reported. She closed by indicating that she does not support the e-collar ideas unless problems develop.

Andy Wilson, 6142 Creekwood Trail, voiced support for the proposed changes and asked that the park board keep in mind that dogs need to be able to run to stay healthy. He added that socialization is important as well. Wilson noted that under the proposal, there seems to be a considerable number of parks that those without pets can still use if concerned about off-leashed dogs.

Kathy Gross, Glenmore Circle, indicated that she was a dog owner and complimented staff and park board for the proposal presented. She noted that her dog has been attacked by other dogs on three occasions in the city, but never in a park. She recommended signage with rules be prominently posted in the parks, and that violators be fined and their privileges taken away.

Beneta Setewalkers, 13808 Inverness Road indicated that she was a dog owner and 45 year resident of the city who supported the proposal as presented.

David Grout, 12814 Lindy Lane, noted that he appreciated the positive interactions of the evening. He indicated the he uses Purgatory and Big Willow Parks on a regular basis and has never encountered a problem with off-leash dogs out of control but believes this does happen on occasion.

Christine Riley, 5901 Bell Circle, thanked those park board members who took the time to walk with her through Purgatory Park, and also thanked staff for developing the proposal presented. She suggested that a reporting procedure be developed so that those who have issues in the parks with off-leashed dogs know how to report the incident. She added that she supports the designated dog park idea at Lone Lake, noting that the designated park at Bryant Lake is very small.

Jerry Dorman, 5940 Windgate Lane, stated that he was a dog owner who likes the proposals presented. He indicated that he supported the use of an E-collar and felt it should at least be considered by the board. He suggested that a maximum distance (he noted 50 yards) from owner to pet should be enforced; and that designated areas be well defined by signage.

Brett Schulze, 12701 Orchard Road, noted that he was pleased with the proposal developed due to the options it presented. He indicated that he uses the Bryant Lake off-leash area only when the weather is cooler due to the lack of water at the site, and noted that any new dog park should have access to water for the

Minutes of the Minnetonka Park Board
August 6, 2008

dogs. He added that on warmer days, he uses Jidana due to the location in relation to the creek. He closed by saying that he feels the process used to get to this point has been a good one due to the clean ups that have taken place in the parks he uses.

Ed Freeman, 2700 Crestwood Circle, indicated that he has not experienced problems with aggressive dogs in Purgatory Park. He agreed with the previous speaker regarding the need for water in any new dog areas. He also agreed with previous speakers that enforcement of any established rules is needed. Freeman stated that he did not support the proposal to license only those dogs using the parks, but instead feels that all dogs should be licensed. He closed by noting that while he uses e-collars, he did not support this being a requirement in the ordinance.

Bob Erst, 5517 Holiday Road, indicated that he supports staff's proposal and has not experienced any problems with dogs out of control in city parks.

Rich Hass, 5641 Scenic Drive, voiced support for the proposal and agreed that the four primary areas recommended by staff are appropriate for off-leash use.

Michael Gross, 5635 Glen Moor Circle, is a dog owner and feels that the problem is overstated. He felt the board was looking to solve a problem that does not exist, adding that he felt enforcement was the issue not legislation.

Judy Lebeda, 14964 Williston Lane, voiced support for the proposal but not the required use of an E-collar. She agreed that adequate water needs to be part of any new dedicated off-leash areas.

Fred Burmer, 1915 Timberline Spur, noted that he missed the May 7, 2008 meeting and that he has never experienced a dog related problem in the park system.

Kathleen Totushek, 18301 Covington Road, noted that she was a 45 year resident of the city and feels that deer create more concerns to the environment than dogs. She suggested that parks where dogs are prohibited also be provided to address those residents who have concerns.

Michelle (no last name provided) 14701 Hightower, noted that police reports indicate that there have been 100 dog bites in the city since 2005, not 2007 as previously noted. Considering that most of these incidents took place off of park property, she wondered where the problem was coming from. She closed by stating that she felt the existing dog ordinance is part of what makes Minnetonka and its parks special.

Minutes of the Minnetonka Park Board
August 6, 2008

Rick Gancey, 4101 Hanus Avenue, noted that he uses Victoria-Evergreen Park and has not experienced a problem. He stated that he was not a dog owner but supported the plan because it requires dog owners to act responsibly.

Terry Balfanz, 5849 Bell Circle, noted that he lives next to Purgatory Park and never knew problems existed until he began to see the signs posted regarding tonight's meeting. He indicated that he uses the park on a regular basis and supports the plan.

Hearing no further requests to speak, Goodyear closed the meeting to public comments and asked for park board member comments and questions.

Lambert thanked those in attendance for their comments and input. He indicated that while he has experienced issues with dogs running loose in parks while he is out jogging, he will support the changes as proposed by staff. He added that he does not support a requirement to use an E-collar, and agrees that enforcement is a key issue in the success of any ordinance changes.

Greves thanked those in attendance for their input and indicated that, in general, she supported the staff recommendations as proposed. She requested that "designated" be added to the language regarding undeveloped areas that off-leash voice command would be allowed. She also suggested that she would not support the allowance for dogs to be in spectator areas of athletic fields on leash, citing concerns that others in attendance have no options if they have concerns about dogs. Greves asked if swimming for dogs was allowed in any areas of the park system. Vetter responded that under the existing ordinance and proposed changes, dogs can access Minnehaha Creek in both Jidana and Big Willow Parks. Greves suggested that this either be added to the ordinance or listed as public information. Greves closed by stating that she supported the requirement of an ID tag for permitted dogs, as well as stringent fines if dogs are not properly licensed.

Gefvert also thanked those in attendance for their input over the past two meetings. He stated that he felt clean-up of dog waste is a significant problem as well as the disturbance of wildlife in the parks due to dog activity. He noted that he came into this issue "neutral" in his opinion of what needs to be done to the existing ordinance, but he is now supportive of the proposal if a few minor changes are made. Gefvert noted that safety in the parks is still a concern to him and that he was not sure he would support the proposal for an off-leash area in Lone Lake Park due to the close proximity of Bryant Lake and the lack of available water at the site. He added that significant resident input is needed regarding the off-leash area in Lone Lake Park. Gefvert indicated that he agreed with the concerns Greves expressed related to dogs in spectator areas of the parks.

Minutes of the Minnetonka Park Board
August 6, 2008

Robben thanked those in attendance for the respectful dialog that took place throughout the evening and commended staff for the recommendations brought forth. He asked if ID tags would be available under this proposal for residents only. Vetter responded that both residents and non-residents could purchase a tag, however there would be a cost differential. Robben asked if the dedicated off-leash area proposed for Lone Lake Park would require any significant capital expenses. Vetter responded that there would be capital costs related to fencing, buckthorn removal and site preparation. In addition, Vetter noted that there would be ongoing operational costs consistent with those of other city parks. Robben closed by asking if there would be a way to monitor who is using the off leash areas if the proposal is approved. Vetter indicated that tracking of resident and non-resident use could be done through the sale of permits.

Anderson indicated that he agrees that enforcement and education, not legislation, is what is required to address this issue. He noted that he supports looking into muzzle or E-collar requirements for dogs in the parks.

Greves stated that fees collected from the sale of permits should be applied to increased enforcement due to safety concerns she has.

Goodyear thanked staff for the proposal developed and indicated that he thought legislation was required for clarification of what is allowed and not allowed. Goodyear indicated that he was in general support of the proposal; however he felt that an allowed distance from the trails needs to be added and controls for dangerous dogs need to be put in place. Goodyear indicated that he favored a colored collar that enforcement officers and others can visibly see from a distance. He agreed with Greves that fees collected should go towards increased enforcement. Goodyear thanks those who currently volunteer to improve the park system.

Goodyear asked is staff had enough direction to develop further recommendations for a future meeting. Vetter indicated that he did, and asked that future comments from residents be directed to the city's website and My Minnetonka link so that they can be dealt with efficiently.

Johnson asked Goodyear to inform those in attendance of next steps in the process. Vetter indicated that changes would be made based on input received tonight and brought back for park board review at the October 1, 2008 meeting. Lambert stated that he felt the issue needed to come back to the board no later than the October meeting. Vetter agreed.

Greves asked if the park board would be involved in fee and fine recommendation. Vetter indicated that the board would be developing fee recommendations; however fines are defined by City Code.

Minutes of the Minnetonka Park Board
August 6, 2008

B. Recommendation for 2009 Gray's Bay Marina Boat Slip Rates

Johnson introduced the item noting that the park board initially developed the Gray's Bay Marina operations and business plans prior to the facility opening for operation in 2003. He added that consideration of the 2009 slip rate fees was required at this time due to the 2009 budget preparation process.

Johnson introduced Facilities Manager Mike Pavelka who provided an operational overview for the marina. Pavelka noted that 2008 slip rate fees were increased 5% from \$3,524 to \$3,700. Pavelka noted that this was the third increase made since the facility opened; adding that the average increase per year has been 6.4%. Pavelka noted that in 2007, the average municipal slip rate on Lake Minnetonka increased 4% and for private marina operations 6.5%. Pavelka concluded by indicating that Gray's Bay Marina has meet its budget objectives each of the first five years of operation including transfers to escrow for future capital needs.

Pavelka noted that staff was recommending a slip fee increase of 2.7% from \$3,700 to \$3,800 for 2009. He noted that the increase would be used to cover comparable increases in operating expenditures.

Hearing no questions from the board, Goodyear entertained a motion. Lambert moved and Gefvert seconded a motion to recommend to the city council that 2009 Gray's Bay slip rental fees be set at \$3,800, an increase of 2.7% from 2008. All voted "yes". Motion carried.

5. Park Board Member Reports

Anderson expressed appreciation to staff for the timely removal of downed trees in Victoria Evergreen Park following a recent storm.

6. Information Items

The park board reviewed items included in the meeting packet related to a joint housing project between the city and Hennepin Technical Center (HTC). Barone explained that the project includes the city's provision of a house at 5425 Spring Lake Road, initially acquired by the city for possible Purgatory Park expansion. Students from HTC's Eden Prairie's campus enrolled in the construction and carpentry program will work with professionals throughout the school year to construct a new home.

Barone noted construction will begin in September and be completed by next June. Once the project is complete, HTC will sell the house to the city, and in turn, the city will sell the house and property.

Minutes of the Minnetonka Park Board
August 6, 2008

Goodyear asked if the house was in need of significant repair. Barone indicated that she was not sure due to renters who have occupied the house.

Greves asked if neighborhood input was received on the project or plans moving forward. Barone responded that she was not sure what input had been received, adding that it was a good idea.

7. Upcoming Park Board Agenda Items

The park board reviewed the tentative upcoming meeting schedule included in the meeting packet.

8. Adjournment

The meeting was adjourned at 9:33 p.m.